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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,064	03/31/2005	Bas Jan Emile Van Rens	259412	6268
23460 7590 09/12/2008 LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6731				
EXAMINER				
DUDEK, JAMES A				
ART UNIT		PAPER NUMBER		
2871				
MAIL DATE		DELIVERY MODE		
09/12/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,064

Applicant(s)

VAN RENS, BAS JAN EMILE

Examiner

/James A. Dudek/

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-9, 11-14, 16-24, 26-32 and 34-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 11-14, 16-24, 26-32 and 34-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

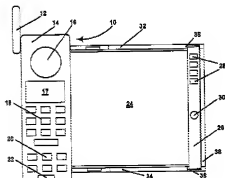
Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-9, 12-14, 16-24, 27-32 and 34-36 are rejected under 35 U.S.C. 102(b) as being anticipated by US 20020090980 A1 (980).



Per claims 1, 18, 13, 19, 27, 29-32 and 34-36, 980 teaches an electronic [includes keypad and cell phone as a whole including cell phone electronics] apparatus suitable for displaying information via a display device [24], the display device having at least one display panel [24] and being provided with driving electronics [inherent as necessary to produce different images], the display device being provided outside the electronic apparatus [see figure above the display 24 is outside of the housing 10] and the display panel being movable between a first position in which the display panel is substantially not visible [see figure 2] and a second position in which at least part of the display panel is visible [see above figure], the electronic apparatus being provided with means for providing display parameters to the display panel in the second position, wherein the display device has a first housing [that structure 32 surrounding the display], the first housing comprising the display panel in one of the first and second positions

[see figure 2] and a second housing comprising driving electronics for the display panel [structure 32, see paragraph 0029, the separate housing will in some cases have a separate controller, thus in some case the control will be in the main housing, the controller being part of the driving electronics].

Per claims 6, 20 and 24, 980 teaches an electronic apparatus according to claim 1, the display panel being movable between a first position in which the display panel substantially is not visible and a second position in which at least part of the display panel is visible [see both figures 1-2].

Per claim 7-8, 980 teaches an electronic apparatus according to claim 1, the second housing and the electronic apparatus being mechanically interconnected [see figure 2].

Per claim 9, 980 teaches an electronic apparatus according to claim 1, the driving electronics in the second housing and electronic circuitry in the electronic apparatus being interconnectable by electromagnetic coupling [when the phone number is inputted it is displayed, the keypad and driving chips are inherently interconnected.]

Per claim 12, 980 teaches an electronic apparatus according to claim 1, the driving electronics in the second housing and the display panel being electrically interconnectable by mechanical coupling [inherent].

Per claims 14 and 29, 980 teaches an electronic apparatus according to claim 1, in which the first housing comprises means for introducing and fixing the display panel [see 32].

Per claim 16, 980 teaches an electronic apparatus according to claim 1, the electronic apparatus comprising the second housing [10].

Per claim 17, 980 teaches an electronic apparatus according to claim 1, the electronic apparatus comprising a controller for selecting at least one application for the display device [CPU] and further comprising memory means for storing at least display parameters related to said application [see paragraph 0039, RAM] and means for providing said display parameters to an interface between the electronic apparatus and the display device [inherent as the image is displayed].

Per claim 34, 980 teaches a housing according to claim 31 in which the housing comprises means for introducing and fixing the display panel [the panel is in the housing 32, 34 and 36 and thus inherently fixes and introduces the panel].

Per claims 13, 19, 27 and 29-30, 980 teaches an electronic apparatus according to claim 12 having a clamping mechanism to interconnect conducting patterns of the driving electronics in the second housing to conducting patterns of the display panel [see paragraph 0037 "The edge of the external screen (or part of the top half of the edge) may be designed so it can be easily slid, secured, and removed from the track." There must be communication between the main body of the cell phone and the second display, thus the control electronics inherently have conducting patterns connecting the driving electronics in the second housing to conducting patterns of the display panel].

Per claims 2-3 and 20-22, 293 teaches an electronic apparatus according to claim 1, the first housing comprising fixing means for fixing the first housing in an enclosure [see paragraph 0037 "The edge of the external screen (or part of the top half of the edge) may be designed so it can be easily slid, secured, and removed from the track."]

Per claims 4 and 23, 293 teaches an electronic apparatus according to claim 2 having closing means for the enclosure [see paragraph 0037 "The edge of the external screen (or part of the top half of the edge) may be designed so it can be easily slid, secured, and removed from the track."]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over 980.

Per claim 11 and 26, 980 teaches a display device according to claims 1 and 20, but lacks the display panel being fixed by a spring mounting to the first housing. However, it was well known to use spring mounting in order to allow the outer display to easily open from the closed

position with the aid of a spring. *Accordingly, it would have been obvious to one of ordinary skill at the time of invention to combine the well known spring mounting to the phone of 980.*

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Response to Arguments

Applicant's arguments filed 6/16/08 have been fully considered but they are not persuasive. Applicant argues that Wilcox does not disclose two housings. Applicant's definition of housing is too limiting. As a term of art, housing is merely structure that surrounds, covers, protects or supports the cell. Accordingly, Wilcox teaches two surrounds or supports. The first being the support surrounding display 24 and the second being phone casing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to /James A. Dudek/ whose telephone number is 571-272-2290. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Dudek/
Primary Examiner
Art Unit 2871